

REMARKS

Initially, in the Office Action dated December 16, 2004, the Examiner reminds Applicants of the proper length and format for an Abstract of the Disclosure. The Examiner rejects claims 1-8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0212996 A1 (Wolzien).

By the present response, Applicants have amended claims 1, 2 and 5-8 to further clarify the invention. Claims 1-8 remain pending in the present application.

Claim for Priority

Applicants submitted a Claim for Priority on July 7, 2003. This application claims priority from Japanese Patent Application No. 8-242904, filed on September 13, 1996. A certified copy of the priority application was filed on September 9, 1997 in prior application Serial No. 08/926,008, filed September 9, 1997. Applicants request that the Examiner acknowledge the Claim for Priority in the next Patent Office communication.

Specification Comments

The Examiner has reminded the Applicants of the proper language and format for an Abstract of the Disclosure. Applicants have amended the Abstract to further clarify the invention and to better conform with these requirements.

35 U.S.C. §103 Rejections

Claims 1-8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Wolzien. Applicants respectfully traverse these rejections.

Wolzien discloses a system and method for expediting the provisioning of goods/services to a user by providing directions from a current location for the users

to a destination associated with an address embedded within or transmitted in conjunction with a programming signal. The system also utilizes user identifiers, payment information, user preferences and delivery instructions to expeditiously provide the goods/services to the user upon the users arrival at the destination. By comparing the various locations of the destination against the current location of the user, preferably determined using global positioning system data, which location of the destination is closest is determined and directions are provided thereto.

Regarding claims 1, 2 and 5-8, Applicants submit that Wolzien does not disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, a navigation display system that includes setting up a retrieval condition by adding a size information of a car in order to display a retrieval result as an icon on the map display, or setting retrieval attribute data with the position information and a range of retrieval domain as a retrieval condition by adding a size information of a car, or retrieval equipment for retrieving based on a retrieval condition by adding a size information of a car included in the retrieval command. According to the present invention, a navigation display method includes setting a retrieval condition by previously adding a condition, that is clear and as a matter of course for the user such as a size information of a car used by the user in order to display a retrieval result as an icon on a map display, after setting the retrieval condition with a retrieval condition setting device and before transmitting the retrieval condition with a communication equipment. Therefore, the labor to set the conditions which are clear and as a matter of course for the user of the car can be saved, and the retrieval conditions as the premise for the user to intend to retrieve

when driving his own car are automatically added without expressing them as the retrieval conditions. Thus, it becomes possible to provide a detailed setting of the retrieval conditions.

Applicants have claimed a priority date of September 13, 1996. The earliest priority date of Wolzien is February 8, 1996 with U.S. Patent No. 5,761,606 ('606). Applicants note that the limitations in the claims of the present application are neither disclosed suggested nor rendered obvious by the disclosure of Wolzien's '606 patent specification. Further, the continuation application of Wolzien filed April 3, 1998 and patented as U.S. Patent No. 6,233,736 also fails to disclose or suggest the limitations in the claims of the present application. The further continuation and continuation-in-part applications of Wolzien including the currently asserted patent, have additional disclosure that has a valid priority date of May 17, 2000 and, therefore, cannot be appropriately asserted against the limitations in the claims of the present application.

The Examiner asserts that Wolzien discloses a retrieval condition setting device for setting up a retrieval condition in order to display a retrieved result as an icon on a map display at page 10, paragraph [0080] and page 13, paragraph [0103]. However, these portions of Wolzien merely disclose that the access system 440 periodically retrieves data from advertisers/programs via the Internet and that the data retrieved preferably contains the content referenced by an address embedded within the programming signal, and that instead of or in addition to generating directions to a nearest location, a listing of locations associated with the content of the programming signal may be provided to the user, and that icons and the various

other indicators may be utilized to identify such locations on a display or map. However, this is not a retrieval condition setting device for setting up a retrieval condition by adding a size information of a car in order to display a retrieval result as an icon on a map display, as recited in the claims of the present application. The cited portions of Wolzien do not disclose or suggest anything related to setting up a retrieval condition by adding a size information of a car in order to display a retrieval result. These portions merely disclose that data retrieved from advertisers/programmers contains content referenced by an address embedded within the programming signal, and that the system may be configured such that instead of or in addition to generating directions to a nearest location, a listing of locations associated with the content of the programming may be provided to the user.

Regarding claims 3 and 4, Applicants submit that these claims are dependent on one of independent claims 1 and 2 and, therefore, are patentable at least for the same reasons noted regarding these independent claims. For example, Applicants submit that Wolzien does not disclose or suggest where the retrieval condition includes a central position of a retrieved area of the map.

Accordingly, Applicants submit that Wolzien does not disclose, suggest or render obvious the limitations in the combination of each of claims 1-8 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-8 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger, Malur & Brundidge, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 503.35636CP3).

Respectfully submitted,

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